

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,

Plaintiff,

vs.

CANTON II, INC.,

Defendant.

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SA-21-CV-01296-JKP

ORDER

Before the Court is the above-styled and numbered cause of action, which was referred to the undersigned for all pretrial proceedings on January 24, 2022 [#13]. After filing suit, Plaintiff sought the appointment of a receiver to facilitate sale of the underlying property. On March 21, 2022, the parties jointly requested that the appointed Receiver be permitted to sell the property prior to entry of a scheduling order [#16]. The Court canceled the scheduled Initial Pretrial Conference and ordered the parties to file a status report within sixty days indicating whether the case has been resolved through sale of the property or a scheduling conference is needed [#19].

The parties filed the Joint Status report on May 23, 2022 [#26]. In their Joint Status Report the parties indicate that they are still in discussion regarding the fees and expenses incurred by Defendant's counsel. The parties also state that the receiver anticipates receiving offers to purchase the property within the next sixty days. The parties anticipate that the balance of the case may be resolved pursuant said sale. In light of the foregoing, the Court will order the parties to file another joint status report in sixty days.

IT IS THEREFORE ORDERED that the parties submit a joint status report **on or before August 5, 2022**, indicating whether the case has been resolved or a scheduling conference is needed.

SIGNED this 7th day of June, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE